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T-458 S.02/07 F-734  
T-918 S.02/07 F-132

Attorney Docket No. **KS4261US (#90711)**

**COMBINED DECLARATION AND POWER OF ATTORNEY**

**(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL,  
DIVISIONAL, CONTINUATION OR CIP)**

As a below named inventor, I hereby declare that:

**TYPE OF DECLARATION**

This declaration is of the following type: (check one applicable item below)

original  
 design

NOTE: If the declaration is for an International Application being filed as a divisional, continuation or continuation-in-part application do not check any of next two items and check appropriate one of last three items.

national stage of PCT  
 supplemental

NOTE: If one of the following 3 items apply then complete and also attach ADDED PAGES FOR  
DIVISIONAL, CONTINUATION OR CIP.

divisional  
 continuation  
 continuation-in-part (CIP)

**INVENTORSHIP IDENTIFICATION**

My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**TITLE OF INVENTION**

**ACREMONIC ACID DERIVATIVES**

**SPECIFICATION IDENTIFICATION**

the specification of which: (complete (a), (b), or (c))

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(a) ( ) is attached hereto.

(b) (X) was mailed to the USPTO on May 2, 2006 under (X) Express Mail No. EV 678115170 US, and was assigned U.S. Serial No. 10/578,034, and was amended on \_\_\_\_\_ (if applicable).

(c) (X) was described and claimed in PCT International Application No. PCT/EP2004/012496 filed on November 4, 2004, and as amendment under PCT Article 19 on \_\_\_\_\_ (if any).

#### ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability of this application in accordance with Title 37, Code of Federal Regulations, Sec. 1.56(a).

( ) In compliance with this duty there is attached an information disclosure statement. 37 CFR 1.97.

#### PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code, Sec. 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(complete (d) or (e))

(d) ( ) no such applications have been filed.  
(e) (X) such applications have been filed as follows

NOTE: Where item (c) is entered above and the International Application which designated the U.S. claimed priority check item (e), enter the details below and make the priority claim.

#### EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

COUNTRY	APPLICATION NO.	DATE OF FILING (month,day,year)	PRIORITY CLAIMED UNDER 37 USC 119
			( ) YES NO ( )
			( ) YES NO ( )

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ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

British Patent Appln. 0325828.2 filed November 5, 2003

**POWER OF ATTORNEY**

As a named inventor, I hereby appoint D. Peter Hochberg, Reg. No. 24,603, and Sean Mellino, Reg. No. 48,817, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

**SEND CORRESPONDENCE TO:**

D. Peter Hochberg Co., L.P.A.  
The Baker Building - 6th Floor  
1940 East 6th Street  
Cleveland, Ohio 44114

**DIRECT TELEPHONE CALLS TO:**  
(Name and telephone number)

D. Peter Hochberg  
(216) 771-3800

**DECLARATION**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**SIGNATURE(S)**

Full name of sole or first inventor: Gerd Ascher

Inventor's signature

22nd March, 2004 Austria  
Date Country of Citizenship

Daxerfeld 3, 6250 Kundl, Austria

Residence

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Full name of second joint inventor, if any: Mathias Ferencic

Ferencic  
Inventor's signature

2007-03-14

Date

Austria

Country of Citizenship

Riglergasse 4/6, 1180 Wien, Austria

Residence

Riglergasse 4/6, 1180 Wien, Austria

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CHECK PROPER BOX(ES) IF ANY OF THE FOLLOWING ADDED PAGE(S)  
FORM A PART OF THIS DECLARATION

Signature for third and subsequent joint inventors. Number of pages added \_\_\_\_\_

Signature by administrator(trix), executor(trix) or legal representative of deceased or incapacitated inventor. Number of pages added \_\_\_\_\_

Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.47. Number of pages added \_\_\_\_\_

\*\*\*

Added pages to combined declaration and power of attorney for a conversion of a provisional, divisional, continuation, or continuation-in-part (CIP) application. (Not required if modifications for provisional incorporated herein.)

Number of pages added \_\_\_\_\_

\*\*\*

If no further pages form a part of this Declaration then end this Declaration with this page and check the following item.

This declaration ends with this page.